

TO: DEPARTMENT OF PUBLIC SAFETY LICENSEES  
FROM: Thomas G. Gatzunis, Commissioner  
DATE: October 18, 2006  
RE: Expiration date for certain DPS Licenses/ "Grace Period"

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Many licenses the Department of Public Safety ("DPS" or "Department") issues may only be renewed by re-examination of the applicant if the license has been expired for more than one year. Re-examination is not required, however, if the applicant seeks renewal of his or her license within one year of the date of expiration listed on the face of the DPS-issued license. This one year period, which has been referred to as a "grace period," has caused some confusion for licensees seeking renewals. This memorandum seeks to clarify the license renewal policy and define when licenses are or are not valid.

First, it is the policy of the Department that certain licensees may renew their licenses without being re-examined **if and only if** the holder renews within one year of the document expiration date. This policy applies to the following list of licenses issued by the Department:

- Amusement Inspectors
- Boiler Inspectors
- Cinematograph Operators
- Construction Supervisor License
- Elevator Inspectors
- Hoisting Machinery Operators
- Pipefitter
- Refrigerator Technician
- Sprinkler Fitter
- Sprinkler Systems

If a licensee seeks to renew one of the above licenses within one year of the date of expiration, he/she need not retake a licensure examination. The individual need only renew the license through the Department.

Second, it is important to note that regardless of whether the holder applies for renewal within one year of expiration, the license itself **is absolutely void upon the expiration date on the face of the license**. Therefore, it is illegal to operate under this expired license. Just as a person may not legally operate a vehicle with an expired driver's license, individuals who operate with an expired professional license **are in violation of the statute and regulations**.

The so-called "grace period" exists only to allow individuals who have an expired license to renew it within one year of the expiration date without being required to retake a licensing exam. Under no circumstances is the expired license valid during this "grace period." In fact, any operation under an expired license, even during the "grace period," is illegal and will subject the holder to discipline by DPS and potentially by the courts.

Finally, individuals who fail to renew prior to the date of expiration listed on their licenses are not to benefit from the failure to renew. Accordingly, the new licenses issued to individuals who renew during the "grace period" year following the date of expiration **must nevertheless reflect an expiration date as if the individual had renewed on time.** For example, an individual with a hoisting license that expired on 12/31/2005 who renews today, within the one year "grace period," will still receive a license that expires on 12/31/2007. This policy exists so that the individual does not receive the benefit of holding the license longer than the term described in statutes or regulations.

I hope that this memo serves to clarify the Department's policy. The Department makes every effort to ensure that renewals are sent to license holders in a timely manner at the last address of record with the agency. Please note that it is the responsibility of the licensee to notify the Department of a change in address.

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